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### Privacy and Its Discontent: The evolution of the privacy protection in China

On January 26<sup>th</sup>, the LA Public Health announced the first confirmed case of coronavirus in the LA County. As soon as my mother back in China got the news, she gave me an emergent call, throwing me questions like “Do you know who that person is?” “Where have this person been in LA?” “Which hospital did he go to?” etc. When I told her that the Public Health didn’t reveal the detailed information of that patient based on privacy/confidentiality concerns, my mom was apparently shocked. In China, when a new patient is confirmed, surrounded neighbors can immediately know almost all the information of that patient, including his or her exact address and the geographic scope of the patients’ recent activities. The information is rarely spread by scandals or gossip, but rather through official channels with the aim to protect the rest of the public. Spending all her life in China, my mom naturally found this strategy more reasonable as it protected the “greater good” and took it for granted that other countries should practice the same.

The discussion between me and my mom seems to reinforce the idea that the privacy protection in China is usually ignored and that individual privacy always needs to give way to public interest. Even the terminology of “privacy” in China can imply subordinate status of the discourse. While English clearly distinguishes ‘private’, which may refer to “selfish interests or to property rights” (McDougall, 2002), from ‘privacy’, which refers to “a state or condition relating to intimate conduct and relationships in which the subject controls access and makes autonomous decisions” (McDougall, 2002), Chinese word for privacy, si [私], contains other meanings such as

selfish, in one's own interest (or those interests that are not relevant to the state and society), and illicit (especially used for bribery and smuggling). With all these relevant negative meanings, the discussion of si in China is usually stigmatized as it always suggests either illicit secrets or selfishness. Additionally, Chinese traditional literatures as well as campaigns of the party-state usually promote that one's sacrifice to the group or collective and stress people's loyalty to the state, which leave even less justified reasons for people to protect their privacy. Even when people are allowed to protect some of their privacy, common sayings such as 'family shames must not be spread abroad' [家丑不可外扬, Jia Chou Bu Ke Wai Yang] indicate that such protection usually depends more on their self-preservation instead of official laws. When one's privacy is violated, the public usually will either blame that person for hiding secrets or not protecting his or her secrets well rather than accuse those leak others' privacy. All these traits lead us to the conclusion that the concept of privacy in China is dramatically different from the common narrative in the West.

However, such conclusion is based on an assumption that there is a uniform concept of privacy in both China and the West. In her work *Particulars and Universals: Studies on Chinese Privacy*, McDougall pointed out that such structuralized expression of "the Chinese concept of privacy" may become an obstacle for us to closely examine the privacy issue in China (2002). She further explained that studies on privacy issues in the West usually notice the "differences in practices and conceptualizations arising from age, gender, social class and other factors" but the variation of the interpretations on privacy in China is usually ignored despite China's huge population, long history, and diverse ethnicities (McDougall, 2002). McDougall also stated that other than differences across the country, "changes over time within a single culture or state" (McDougall, 2002) are

often ignored as well. Her arguments implied that instead of looking for a solid definition and description of the privacy issue in China, we really need to look into different practices across time and space: the awareness of privacy in post-Mao era of China, for example, is very different from that in the Maoist era. In fact, with closer examinations, we can find that even early philosophers such as Confucius have mentioned and commented positively for the protection of individual privacy; our current illusion that ‘the solid, native perception of privacy is attributed by traditional Chinese philosophies’ is actually formed by later scholars who place more emphasis on Confucius discussions public realm (McDougall, 2002).

This paper will hence focus more on the of practice of privacy protection in different times and spheres in China instead of seeking to draw a single conclusion on the concept of Chinese privacy. This article includes five sections. The next section will offer a historical and cultural background of Chinese people’ notion of privacy. The third section will discuss how the economic reform changes the situation of privacy protection in China and present different practices of privacy protection in contemporary China on various spheres including practices within intimate groups like families and in public places like the social media. An analysis of the reasons behind the distinctions on different spheres will also be involved in the third section. The section is followed by the fourth section that will predict the future trend of privacy protection in China with a special focus on the impact of the current coronavirus crisis, and the concluding section with comment on the evolution of the privacy protection in China.

### **History and Cultural Background of Privacy in China**

Traditionally, Chinese culture has been placing “group interest over individual interest” and

stressing that “the individual belongs and remains secondary to the group or the collective” (Yan, 2010). Here, the groups and collectives do not merely refer to the state; individuals are also subordinated to their family, kinship groups, and other organizations like class-unit. The Confucianism, which is the orthodox philosophy of China, portrayed an ideal life of “cultivating oneself, bringing order to the family, governing the country, bringing peace to all” [修身, 齐家, 治国, 平天下; Xiu Shen, Qi Jia, Zhi Guo, Ping Tian Xia], placing one’s contributions to their family and the state as a more ultimate and important goal than one’s self-development. Traditional literatures, such as The Twenty-Four Stories of Filial Pity [二十四孝], also established obeying sons and daughters in the families as role models and praised one’s commitment to their parents and family. Some of the stories depicted in these literatures are actually rather horrifying: in one story, a middle-aged man in extreme poverty decided to bury his son to save grains for his mother. While these stories are somewhat fictional and exaggerated, we can get an insight of the society’s expectation on people’s sacrifice to their family and other groups. Opposite to the Liberalism dominating in the west with a focus on individual rights and freedom, traditional Chinese philosophy believed in the concept of “partial-self”: individuals are not completely independent; our “whole self” can only be formed by interactions with the others. Even in the late feudalism era in 1910s, enlightenment leaders in China like Liang Qichao still held the idea that “individual has a dual-self”, and that the small-self centered on personal interest should “always be secondary and submissive” to the great-self based on the interest of the nation (Yan, 2010). When one’s individual value could only be achieved via their contribution to the group, if such value of individuals actually exists, we can easily make a hypothesis that individual rights, including their privacy, are

neglected as well.

Nonetheless, recent studies on Chinese traditional literatures tell a different story. While it still holds true that the group interest is heavily emphasized, we can actually find traits of people's attention on privacy and private interests in these literatures. In *Writing and Authority in Early China* (1999), Mark Lewis acknowledged that *The Analects of Confucius* actually regarded the refusal to serve the failed state "as moral heroism". While this piece of evidence is not directly linked to the privacy concerns, it shows that containing personal beliefs different from that of the state is actually admitted by the Confucianism. Kam Louie and Louise Edward pointed out clearer clues in *Zi Bu Yu* [子不语, The Master Does not Mention], a fiction written by Yuan Mei in the Qing Dynasty, in which Yuan used "ghostly revenge on interfering magistrates" to express his "vigorous opposition the state's right to interfere in what are essentially personal matters of private individuals" (1966). The unrest of Yuan demonstrated people's awareness of private interests and privacy in the feudal China. Cathy Silber had found other interesting evidence in *Dream of The Red Chamber* [红楼梦], a Qing fiction that gave us a lot of insights of the ancient royal life. There were several scenes in the book depicted the main character Baochai and Daiyu's reaction after accidentally overhearing the conversations of their maids. Being the "ladies" of the royal family, both characters "far outrank the maids" and thus we might expect them not to care about whether their over-hearings were discovered, yet both of them chose to pretend that the eavesdropping never happened. Silber suggested that their action might indicate an awareness of "not violating the privacy of the others" or an illumination of "the boundaries of something like privacy content" at least (2001). All these traits suggest the discussion and awareness of privacy was not completely

in absent in ancient China.

However, even if notions of privacy protection do exist in ancient China, we need to notice several limitations to that. First of all, privacy is probably merely a luxurious right of the elites and nobles in the ancient China. Triggered by Silber's discussion on *Dream of The Red Chamber*, I also revisited the fiction again to find other traits related to privacy. I found that when peasants and normal citizens came to visit the household of the royal family Jia, they would usually restrain themselves from observing around and would educate their children not to do so as it was a request by "proper manners". These civilians were also afraid that they would accidentally encounter family secrets of the family of Jia and trap themselves in trouble. The Jias, however, could look upon these civilians as close as they wish and infer the background of these people based on observations. This parallels the normal practice in ancient China: when emperors and other officials went visiting people with lower status than them, they usually enjoyed the right to check and examine whatever they requested, indicating that comparing to them civilians enjoyed little if any privacy. Second, privacy usually gave it way to one's responsibility of their family. Charlotte Furth's discussion on Ming dynasty medical practices indicates that the illness was usually regarded as "a threat not just to the individual but to the family's prosperity and continuity" (2001). With the Confucian adage that one's body "belongs not to oneself but to the family", intimate details of the illness was never kept as the privacy of a person and need to be acknowledged by the whole family, Furth also pointed out that illness related to women's fertility or fecundity would lower the threshold of privacy significantly while in normal cases it was considered as a taboo of male physicians' appearance at a woman's bedside. These restrictions showed us a perhaps more well-rounded

picture of privacy protection in ancient China: while it was not completely ignored, public interests and other power dynamics significantly undermined the importance of it.

The Liberation and the Establishment of the New China led by the CCP in 1949 imposed a significant change to privacy protection in China, but not necessarily in a good way. With Mao's radical communist reforms, people's communes were established together with several waves of the government's anti-rightist, anti-capitalism campaigns. People's privacy was impacted in various ways accordingly. People's commune and collectives mobilized people to "break away from the previous all-encompassing social categories of the extended family, kinship organization" (Yan, 2010); however, these "liberations" from the households didn't bring more freedom or privacy for the people. Instead, they were now requested to participate in planned, regulated life of the commune, where they worked, had meals, and sometimes even shared bedrooms with the others. In his work *Private Life under Socialism* (2003), Yan recalled his early experiences in Northeastern rural China when he had to share the bed with 6 other people, including two females. This situation, as Yan explained, is more common within a family where married couples might need to sleep with all the other family members (for female, in-laws) including their parents, siblings and children. Yan also remembered that he soon adopted the local practices such as taking off clothes in his quilt after the light turned off and left the door open even when he was not in the rooms as locking the door up might be considered as inappropriate. With limited individual spaces within the household and restricted entertainment options, interactions between neighbors became really popular. Villagers could visit their neighbors' household without informing them; this visit would be welcomed by the host as they enjoyed just chatting and sharing details of their life with



others. A lifestyle like this left almost no privacy to individuals as their daily-life was always monitored by the cadres and observed by other members of the commune.

While people's commune created the absence of privacy of people's material lives, the radical political campaigns and movements further violated the privacy of the spiritual life of individuals; in other words, the government was not only surveilling on what people do, but also what people think. During the chaotic Cultural Revolution, as soon as one was under the suspect of anti-socialism and anti-party state, his or her household would be under search. All of the personal belongings of that person, including letters with others and books could be used as evidence of high treason. More often than not, the Red Guards would find the evidence they need to prove their accusation, and inhumane tortures awaited the accused ones; some were even taken naked to the street, losing the fundamental basic of privacy on their body. Although Mao's death put an end to these cruel violations of privacy and human dignity, people in China were already so accustomed to and afraid of the government surveillance that that lasting influence of the Cultural Revolution also is still impacting the practices of privacy protection in post-reform era of China, which will be discussed in the next section.

### **Privacy Protection in the Post-Reform Era**

The Economic Reform of China had brought major changes to the protection of individual rights in China, and of course, the situation of privacy protection as well. We should not have an illusion, however, that such changes signaled a fundamental switch of the party-state's ideologies. That is to say, such improvement was not voluntarily given by the party-state out of the concern for the right of its citizens, but rather an unintended side product of the new economic strategies

of China. The market-oriented reforms, which focused on incentivizing individuals to participate in the economic construction of China, decentralized the collectives; practices such as opening up the job market and allowing the privatization of companies increased the legitimization of the individual in social practices (Yuan, Feng & Danowski, 2013). As a result, the lives of Chinese individuals have been increasingly shifted from the age-old moral preference of the collective welfare to the individual well-being (Yan, 2009). These changes in turn initiated the increasing protection on individual rights, including privacy, from the officials as a “compensation” for the contribution of the individuals. The huge economic growth experienced by China had also equipped Chinese people with necessary methods to protect their privacy; the replacement of small households shared by large families by apartment owned by nuclear-families, for example, allowed the members within a family to have larger individual space for their privacy. Moreover, China’s participation in international organizations and interactions with the West had also led to better protection of privacy in China. On the one hand, regulations from institutions like WTO asks China to “obey common international conventions concerning privacy protection” (Lü, 2005); on the other, Chinese people had been largely affected by western ideologies that stress upon individual freedom and rights and hence had increased their discussions and awareness of privacy. From Yuan, Feng and Danowski’s study on Weibo (2013), the Chinese format of Twitter, we can see that most of the people no longer discuss one’s privacy in a negative way; rather, they start to consider privacy as a natural right of themselves. Moreover, while Lü’s study in 2005 found privacy in China is mostly understood as an instrumental good instead of an instinct value, people on Weibo in the 2010s also start to protect their privacy as a “fundamental moral values as dignity and respect”

(Yuan, et al., 2013), indicating that people's interpretation of privacy has been continuously changing in a positive way after the reform.

But we still need to bear in mind that such improvements did not suggest the party-state of China had sincerely started to value people's privacy. In *Privacy and Data Privacy Issues in Contemporary China*, Lü's suggested that the officials' concern of privacy is more of a result from the social aspect of the topic: as people will feel more sense of security with well-protected privacy, leveraging protections of privacy can help improve to the stability of the society and vice versa. Additionally, while the state has loosened up its control in economic sectors in the reform period, its control over the political realm still remains tight, suggesting that individual privacy still remains subordinate to the national interests. The officials' attitude towards privacy will continuously impose restrictions of privacy protection development in post-reform China just like what Liu suggested:

If a country or nation takes power as a standard, its privacy policy usually emphasizes the social benefits aspect of privacy. In order to exercise power and maintain social order, this kind of privacy policy usually avoids letting privacy become an obstacle to power or the state's effort to establish order to the best of its abilities, and enforces instead a restriction on the extension of privacy. By contrast, if a country takes right as a standard, its privacy policy usually emphasizes personal benefits; this kind of privacy policy protects personal space, personal mental worlds, and personal freedom as far as possible, and avoids letting the dignity of personal privacy become eroded through the exercise of power against it. (Liu, 2003)

The power dynamic between people's rising awareness of privacy protection and the state's limited tolerance on that creates today's diverse practices of privacy protection on different spheres within China, and I'll use privacy protection practices within the intimate groups and in public spaces like the social medias to demonstrate such diversity.

### *Privacy Protection in The Intimate Space: Family and Households*

The individualization process of Chinese people from their family and kinship groups can actually be traced back to the Maoist era. Aiming at disconnecting youths from their family and thus rebuilding their loyalty to the socialist parity-state, Mao defined the "former traditional patterns of interpersonal relations that centered around the family" as feudalistic and encouraged initials to join the newly established collectives instead (Yan, 2010). However, because of the limited economic ability of the individuals, and perhaps even more so, the prohibition on the individual purchase of the households, those remained in their family still needed to share restricted space with their family members. Yan (2003) described in his work that households at this period of time usually contained two bedrooms at most but were usually shared by three generations of people and it was not uncommon that married couples need to share their bed [more accurately, kang 炕] with other family members regardless of the gender of these members. Unlike present-day apartment, the "living room" and "bedroom" of those households were connected instead of separated, namely there no door or other things alike in front of the bedroom. Yan remembered that he could usually directly infer the living-quality and economic situation of a family as soon as he stepped into a household at that time as he could have a full vision of the entire households; members of the households at that time would usually warmly welcome the

guests by inviting them to sit on the kang, their place to sleep. These designs of the households basically denied on individuals' privacy protection from other family members and the outside observers.

Economic Reform made it possible for people to purchase their own households. In the village where Yan lived, the head of the village became the first to move into an apartment. With three bedrooms in this apartment, the head and his wife no longer need to share their bedroom with their parents and children. While the elders within the family were somewhat dissatisfied with the new apartment as their dominating positions in the bedroom was diminished, young generations generally explained their delight with the “convenience” and “freedom” offered by the new household structure. Yan described an anecdote during his talks with the head: while Yan was still hesitating over the appropriateness of the question, the head immediately sensed his intention and directly responded “yes, it had become more convenient for me and my wife for our private events”, in other words, sex. While demonstrating the increasing privacy protection within the family provided by the new household structures, this anecdote also illustrated us that the “convenience” and “freedom” described above were actually really similar to, if not the same thing as, the privacy we talk about today; but Chinese people still remained unfamiliar with the concept of privacy at that time.

Besides increasing privacy protection within the family, the household as a whole now enjoy more privacy when facing outsiders. With the Household Responsibility System that allowed people to choose their agricultural production based on the need of the market instead of the request of the state, many households chose to raise poultries in their front yard. This then requested them

to build fences in front of their apartment, which decreasing the integrations between neighbors that had been popular in the past. Other than that, living-room has replaced the bedroom as proper place to hold guests, which again decreases the extent to which a visitor can observe in the household; if a family member does not want to meet the guest, they can stay in their room comfortably while in the past staying in the households but not interacting with the visitor would be considered as inappropriate.

Such improved privacy protection of members of the family and of the family as a whole has continued in the past 20 years with further individualization of people from their families and kin-groups. Most of the people in modern China are also used to the structure of the nuclear family and have gradually lost their connections with their larger kinship groups; thus, people now consider questions from unfamiliar relatives related to personal issues as “inappropriate” and will usually choose not to answer it. Admittedly, some exceptions still exist. Parents still enjoy high authority over their underage children and observations on their children’s personal belongings is still a common practice. Elder parents are also more accustomed to practices in the past and believe that they have the right to intervene with their children’s privacy. However, we can still witness improvements on these issues as many people no longer take these actions as granted of these actions and start to debate over the boundary between parents and children. Increasing number of young parents who had personally felt the pain of privacy being violated have also decided to respect their children’s privacy. I remembered that when I was in middle school, the headteacher of my class discovered a secret relationship between two of my classmates based on the report from the father of the boy: the father checked his son’s phone on a regular routine and found

abnormal frequent long calls between the boy and his girlfriend. The headteacher used this case as an example of “proper family education” on the parents’ meetings and encouraged other parents to do the same. When I recalled this story in a conversation with my mom, who is a primary school teacher, my mom said (with many grievances) that those teachers who dare to give such suggestions to parents today may receive massive complaints. While she concluded that it’s much harder to be a teacher nowadays, I’d happily conclude that privacy protection for children within families have also been improved.

### *Privacy Protection on The Public Sphere: Social Medias*

As mentioned above, we’ve witnessed people’s liberation from their families in the post-reform Era; this trend is accompanied by individuals’ increasing need of emotional attachment to their personal network (Yang et al., 2013). The development of online social medias offers these individuals a great place to interact with their friends and expand their personal network, and soon become popular in China.

Concerns related to the vulnerability of one’s privacy on social medias immediately appeared – with the advanced technology, it has become easy for those “experts” with strong network to find detailed information of a person based on the information they exposed online, causing the problem of “human flesh searching” [人肉搜索, Ren Rou Sou Suo]. Originally referred practices of individuals asking questions online for other people’s help, the term now has a specific meaning of “tracking down and publishing on the Internet the personal information of the others” (Ong, 2012). While this action apparently violates the privacy of the sought one, the query initiators usually depicted themselves “as the victims of wrongdoings conducted by the sought” (Pan) to

justify their behaviors. The first major case of the human flesh searching on the “Kitten Killer in Hangzhou”, for example was thought to be justice by many as the target of the search cruelly tortured and killed kittens in a video updated by herself online. Chinese netzines managed to find the target’s personal information including name, number, employer and address and the target lost her job because of the disclosure of such information online. Celebrities, who usually receive high attentions and who can mobilize mass netizen’s force, are frequent victims and perpetrators of the human flesh searching. Sun Yang, the famous Chinese athlete, recently posted the ID number of the staff related to his scandal on his Weibo account, which triggered thousands of Chinese netizens to track and throw humiliations on that person.

The privacy protection issues related to social medias and “human flesh searching” is more complicated than the ones related to the family and households; the practice of “human flesh searching” is still frequent till today, triggering huge debates around it. While some pity the victim of such practices and call for the attention to privacy protection, others support and even applaud for it with the belief that it is a form of civil engagement and civil participation (Ford, 2008). Laws and regulations related to this area further complicate the issue. The Article 101 of *General Principles of Civil Law of China* states that:

“Citizens and legal persons shall enjoy the right to reputation. The personality of citizens shall be protected by law, and the use of slander, libel or other means to damage the reputation of citizens or legal persons shall be prohibited.”

The *Interpretation of the Supreme People’s Court Regarding Issues of the Ascertaining the Liability of Compensation for Spiritual Damage for Tort* further explains that:



“...If someone infringes upon other’s privacy or other personality interests, and the aggrieved party, taking tort as the cause to get compensation for spiritual damage, brings a suit to a People’s Court, the People’s Court shall accept it according to law.”

Here, we can see that while *The Interpretation* “juxtaposes privacy and other personality interests” (Lü, 2005), the right of privacy is not included by in the Article 101. As Ong explained, a claim for privacy will be “subsumed and treated as a claim for infringement of reputation” under Article 101 (2012).

With the complicated system of law, we really need to look into the actual cases to see the practice of the court regarding issues related to privacy. The Wang Fei vs. Zhang Leyi case in 2008 perhaps the “first judicially recognized case of the right to online privacy in China” (Ong, 2012) among all. Wang Fei, whose wife committed suicide because of his extra-marital affair and whose personal information was thus put online by the wife’s friend Zhang Leyi, received serious verbal abuse online as well as real life death threats because of Zhang’s action. As a result, he sued Zhang in 2008 for invasion of privacy. The court ruled for Wang, holding that Zhang’s posts on the website should not violate the legitimate rights of the others. As Zhang’s posts turned Wang’s extra-marital affair, a matter that was supposed to be personal and private, to a “matter of public knowledge”, the court held that Zhang had violated Wang’s right to privacy and reputation (Ong, 2012).

Ong (2012) held that this case was particularly important for the online privacy protection. Being the first judicial case in China related to the human fresh searching, the decision of the court largely impacted the public’s perception of this issue. More importantly, the court had also “issued

judicial recommendations” to the Ministry of Industry and Information Technology advising “the need to better monitor the behavior of net users and to prevent privacy infringements”. From the case of Wang vs. Zhang, we can find that when peer-to-peer violations of privacy occur online, the officials will allow open discussions on cases like this and lean towards the victims. While the transparency and the huge information flow online have made people’s privacy more vulnerable, local regulations in different provinces and the newly passed Tort Liability Law also intend to offer protections.

Comparing to the human fresh research or peer-to-peer violations of privacy online, government surveillance on social medias probably have imposed even more threats to the individual privacy. On most of the platforms in China, users need to attach their account with their phone number and when they are applying to phone numbers, a personal ID is usually requested and registered. As a result, police and officials can easily track people down with their social media account. WeChat, the most widely used social media in today’s China, allows users to attach Visa card on their account and offers functions like booking transportations, food delivery, entertainments etc. While this has largely brought convenience to people’s life, it also imposed larger risk to one’s privacy when one’s account is under surveillance. Indeed, while WeChat is claimed to be “more private” than Weibo according to its developer as the content one posted is only available to selected friends instead of the general public, it is believed that the platform is under similar level of surveillance of the government. Ouyang, a citizen in Shenzhen who once post her complaints about her unpleasant encounters with police, was “tracked down in just two hours” (Mozur & Krolik, 2019). When she asked the police “how did you find me”, the police

responded quite frankly that “it is easy for the police to find a person”.

However, this topic of government surveillance is usually regarded as “the elephant in the room” and while some people are trying to call for more attention on this, posts related to this topic is usually deleted quickly. Apparently, the officials in China also take a really different approach on this matter that it has almost become a “discontent” of the privacy protection practices in China.

*Privacy and Its Discontent: pattern of privacy protection in post reform China*

As shown above, the pattern of privacy protection in post-reform China is really in accordance with the governance tactics of the party-state. The government has decided to retreat and stress self-management on the personal sphere (here, “personal” as in level of attachment to the general public instead of the notion of “personal information” related to one’s privacy); thus, while there’s still no such law that regulate the boundaries between family members, individuals within the family naturally start to adopt a life with more private space and better privacy protections based on their own choice. Meanwhile, increasing legitimization of individuals in social practice has triggered the government to pay attention to protection of individual rights for the concerns of social stability. These concerns have pushed the government to use laws and other mechanisms to protect the privacy of the individuals during their social interactions; studies have also found that China has also put profound effort in protecting individual privacy when it comes to individual-businesses interactions. The Cyber Administration of China had also issued new Data Protection Regulatory Guideline in 2019 that “lays out specific rules regarding the dos and don’ts for how internet companies collect and use customer data” (Wenyan, 2019) after receiving several cases of consumers’ complaints about big tech companies’ violation and manipulation of personal data. The

changes in these spheres have shown us positive traits of privacy protection in China.

However, privacy protection of individuals still remains subordinate to the national security and national interest, and perhaps always will. This is due to 1) the cultural tradition and the practices during the Maoist era make people accustomed to sacrifice their personal interest for the greater good and 2) the regime in the post-reform era has never loosened up its control over the political realm. While state violation of individual privacy has been prevailing in China, the recent radical practices of Xi, including updated surveillance on social medias and the establishment of facial recognition systems has raised concerns in China; an event in which the police used the facial recognitions to publicly present pictures of people wearing pajamas and accused them for “dressing inappropriately” had triggered questions and complaints about the manipulation of such systems. Such concerns may have a chance of bringing up future positive changes in government’s policies on privacy protection, but perhaps more likely, will lead to even stricter surveillance from the state as a method to control on public opinions and maintain the position of the party-state.

### **Future Trends of Privacy Protection in China: The Impact of the Coronavirus**

On February 7<sup>th</sup>, 2020, Wenliang Li, a doctor who tried to warn his classmates about the coronavirus before the official announcement and who was later reprimanded for spreading rumors online, died after getting infected by the virus. The death of this heroic figures led to “unprecedented tsunami of grief and anger” (Bociurkiw, 2020) as well as discussions on individual rights that swept the online forums. For many people, this particular event and the eroded authority of the CCP because of their late response to coronavirus might become a major tipping-point for changes of individual rights protection in China. I also anticipated at that time that the tragedy of

Wenliang Li might lead to better privacy protections in China, or raise people's oppositions to the government surveillance at least, as Li's story showed us that police could track down and punish a person with a single snapshot. The false judgement of the officials of Wuhan also suggested that the orthodox narrative of put national interests first can impose a huge risk to individuals, to the society and even to the whole world when the national interests is understood as "the stability of the regime".

However, the CCP is able to switch the dominate voices in social medias really quickly by using propagandas that stress on the efficient response of the officials after the virus broke out. In this way, the party-state has successfully switched its identity from the one attributed to the creation of the problem to the wise problem-solver. The continuous impact of the virus in other countries also contributed to the narrative that the superior system is the main reason for China to success the "war on virus". The authority of the party-state was further enhanced when Trump decided to use the phrase "Chinese virus" on his social medias and during his public speeches. The rising nationalism sentiment against the U.S. has made Chinese government's strategy to blame the U.S. army for the virus somewhat more successful; a lot of people who joint the calls for individual rights after Li's death have also started to believe in this narrative. The propaganda campaigns together with China's success in containing the virus by the strict lock-down and stay-at-home policies have again boosted the authority of the state and enhanced people's belief in state interest first. As a result, the coronavirus crisis probably will not switch the situation of the increasing state violation on individual privacy, but rather contribute to this trend under Xi's authoritarianism.

## **Conclusion**

While it is common for one to hold a single impression that the privacy protection in China has been poorly developed in all sectors throughout the history, this paper discovers that notions of privacy protection as well as practices of privacy protection has been rather diverse. Even in the ancient China where one's self was defined by one's interactions with the others, the awareness of privacy still existed and the protection of such was even praised by some. Upon the establishment of the New China in 1949, the practices privacy protection in China have largely been affected by related political ideologies of the party-state. Privacy protection was hugely diminished in the Maoist era due to the radical communist reforms at that time. In the post-reform era, the state's emphasis on different spheres has resulted in different level of privacy protection in these spheres: whereas people start to enjoy more privacy in more private and intimate sectors, the discussion of individual privacy versus national interest still somewhat remains as a taboo, and together with the increasing authoritarianism in China under Xi's regime as well as the strategic tactics the party state has adopted during the corona virus crisis, the suppression of privacy in this sphere is likely to sustain and even intensify in the future.

I've acknowledged that there are several limitations of the paper. First of all, most of the arguments of the paper is drawn by my observations or statements of other scholarly papers instead of in-depth research, which may lead to the selection-bias. Second, this paper only has enough space to discuss the different practices of privacy protection on the intimate and public spheres of the post-reform China. However, such diversity also exists across gender, age and space, which worth further exploration. My future research on the discourse of privacy in China will focus on addressing these limitations.

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